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COMMENTS OF CHERYL NORIEGA
ON BEHALF OF WHITE PINE COUNTY, NEVADA
REGARDING WHETHER THE SECRETARY OF ENERGY
SHOULD RECOMMEND YUCCA MOUNTAIN, NEVADA
AS A SITE FOR A GEOLOGIC REPOSITORY FOR NUCLEAR WASTE

~~September 12, 2001~~
Oct. 3, 2001

I am Cheryl Noriega, Chairman of the White Pine County Board of Commissioners, and I am here ^{today} ~~this evening~~ to offer comments on behalf of White Pine County. At the outset, let me note that White Pine County does not believe that a decision by the Secretary of Energy to recommend the Yucca Mountain site as a geologic repository is in the best interest of Nevada and its residents. Unfortunately, the suitability guidelines under which a determination by the Secretary to recommend the site, ~~do not~~ do not require the Secretary to consider the implications of the repository system upon the social, economic and environmental fabric which defines this place I call home. Consideration of these factors, in addition to the suitability guidelines, is within the discretion of the Secretary of Energy.

In deciding whether to recommend the Yucca Mountain site to the President, White Pine County requests that the Secretary of Energy consider not only the suitability of the site under siting guidelines proposed in 10 CFR Parts 960 and 963, but also the impacts of the development and operation of the repository upon the residents, economy and environment of Nevada. The County further recommends that the Secretary of Energy consider whether identified impacts can be sufficiently mitigated so as to ensure maintenance of the quality of life enjoyed by White Pine County residents. If development and operation of the repository system will diminish our quality of life, the Secretary of Energy should not recommend the Yucca Mountain site to the President.

There are unique local conditions and resultant impacts specific to White Pine County, Nevada, which we believe require full consideration as an integral part of any decision to recommend Yucca Mountain as a safe and enduring repository. As a consequence, White

Pine County has prepared a comprehensive impact report which has been submitted directly to the Secretary of Energy. White Pine County's impact report should be considered by the Secretary in formulating a recommendation to the President. In addition, White Pine County expects the Secretary of Energy to submit its impact report, pursuant to Section 114(a)(1)(G) of the Act, to the President. We understand that other affected units of local government and the State of Nevada are preparing impact reports, all of which should be considered by the Secretary of Energy in determining whether to recommend the Yucca Mountain site.

White Pine County believes that the Secretary of Energy must also consider the Final Environmental Impact Statement for the Yucca Mountain site when deciding whether to recommend the site to the President. To date, Department of Energy staff have suggested that release of the Final Environmental Impact Statement would occur concurrently with the site recommendation. This would suggest that the Secretary of Energy may not be able to consider the contents of the Final EIS when making a decision on whether to recommend the site. White Pine County recommends that the Secretary defer any decision to recommend the site until a least 30 days following public release of the Final EIS.

With regard to the technical basis upon which the Secretary may formulate a recommendation, White Pine County is concerned about the DOE's use of proposed rather than existing siting guidelines in preparing the preliminary site suitability evaluation. In essence, the DOE has determined that the Yucca Mountain site is suitable for recommendation by applying a set of guidelines which are not found in federal regulation. The DOE has not provided an assessment of the suitability of the Yucca Mountain site against existing siting guidelines found in 10 CFR 960 and 963. As a consequence, DOE does not know whether the Yucca Mountain site is suitable for recommendation under existing guidelines. Either DOE should promulgate final revised siting guidelines in 10 CFR 960 and 963 in advance of any recommendation by the Secretary or the Department should prepare an evaluation of the suitability of the site

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relative to existing siting guidelines. If the site cannot be shown to be suitable under existing guidelines, the Secretary should not recommend the site to the President.

Thank you.